



December 6, 2017

Representative Sam Johnson
Chairman
Social Security Subcommittee
House Ways and Means Committee
2304 Rayburn House Office Building
Washington, DC. 20515

Dear Chairman Johnson:

On behalf of the National Disability Rights Network (NDRN) and the nationwide network of fifty-seven Protection and Advocacy systems we represent, I write in strong support of H.R. 4547, the Strengthening Protections for Social Security Beneficiaries Act of 2017. Enactment of this legislation will provide critical protections for Social Security beneficiaries as well as needed reforms to the crucial representative payee program.

NDRN is the non-profit membership organization for the federally mandated Protection and Advocacy (P&A) and Client Assistance Program (CAP) systems for individuals with disabilities. The P&A and CAP systems were established by the United States Congress to protect the rights of people with disabilities and their families through legal support, advocacy, referral, and education. P&As and CAPs are in all 50 states, the District of Columbia, Puerto Rico, and the U.S. Territories (American Samoa, Guam, Northern Mariana Islands, and the US Virgin Islands), and there is a P&A and CAP affiliated with the Native American Consortium which includes the Hopi, Navajo and San Juan Southern Paiute Nations in the Four Corners region of the Southwest. Collectively, the P&A and CAP Network is the largest provider of legally based advocacy services to people with disabilities in the United States.

News stories, Office of Inspector General and Government Accountability Office reports, and hearings held by the House Ways and Means Committee have demonstrated the need for changes in the representative payee program. Your legislation proposes many important and needed changes that will streamline the program as well as take important steps to increase oversight of the representative payee program by funding the nationwide network of P&A systems to monitor how representative payees are administering the Social Security funds received by beneficiaries.

This legislation recognizes the important oversight work that the nationwide network of P&A systems performed for the Social Security Administration (SSA) starting in 2009 after it was revealed dozens of men with developmental disabilities were abused and financially exploited at a turkey processing plant known as Henry's Turkey Service. The company acted as the workers' representative payee which gave them access to the men's social security disability benefits. It was found that in addition to physically and verbally assaulting the men, Henry's was fraudulently using funds from the men's social security payments.

To the Social Security Administration's (SSA) credit, following the discovery of this theft, SSA increased monitoring beyond reviews that they are statutorily required to perform and began investigating whether other organizational representative payees were exploiting the beneficiaries they were appointed to serve. As part of this effort, SSA turned to the federally mandated P&A system to conduct monitoring on representative payees. The collaboration between SSA and the P&A systems allowed SSA to meet its goal of ensuring that payees meet the fiduciary responsibilities they accepted when they applied to act as a payee. The partnership not only allowed SSA to meet their responsibilities, but also allowed the P&A systems to address health and safety issues and other issues important to the beneficiary but that fall outside of SSA's purview (for more information and statistics on this program, see this report: http://www.ndrn.org/images/Documents/Resources/NDRN_Rep_Payee_Overview_-_July_2016.pdf). H.R. 4547 recognizes the benefits provided by the nationwide network of P&A systems to monitor representative payees and how they are administering the social security benefits received by beneficiaries.

Again, we greatly appreciate your work on this important issue culminating in the introduction of this critical legislation. We stand ready to work with you to quickly get this important legislation enacted into law. Should you have any questions or need more information, please be in touch with Eric Buehlmann, Deputy Executive Director for Public Policy, at eric.buehlmann@ndrn.org or 202-408-9514 x121.

Sincerely,



Curt Decker
Executive Director